IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4788 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : D.D.SINHA AND K.J.ROHEE, JJ.

DATED : JANUARY 27, 2006

Heard Shri Deshpande, learned Counsel for the petitioner, Mrs. Deshpande, learned Counsel for the respondent no.1, and Shri Patel, learned Assistant Government Pleader for the respondent nos.2 and 3.

In the present petition, the petitioner has sought a direction to the respondent Scheduled Tribes Caste Certificate Scrutiny Committee, Amravati to issue caste validity certificate in the name of the petitioner that he belongs to `Halba/Halbi', which is recognised Scheduled Tribe, on the basis of decision of this Court dated 6.9.1985 passed in Writ Petition No. 55/1985.

Perusal of the above referred decision of

this Court shows that rule was made absolute in terms of prayer clauses (a), (b), (c) and (c-i) of the petition. We are mainly concerned with the prayer clauses (b) and (c), which read thus :

> "(b) to declare that the petitioner belongs to Halba community and his caste certificate is perfectly valid and legal and that he has been rightly selected to the post of Assistant Conservator of Forest reserved for Scheduled Tribe,
>
> (c) further to declare that the petitioner is entitled to all benefits accrued to the Scheduled Tribe as he is the member of the Scheduled Tribe."

In the backdrop of the above referred facts, it is evident that declaration has already been given by this Court that petitioner belongs to `Halba' (Scheduled Tribe), which is valid till the same is either altered, reversed or set aside by this Court or Supreme Court. In that view of the matter, there is no question of again approaching the Caste Scrutiny Committee for issuance of caste validity certificate. With these observations, the petition is

disposed of.

JUDGE JUDGE

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